



**MINUTES  
HISTORIC PRESERVATION COMMISSION  
REGULAR SESSION**

5:30 p.m., Thursday, September 17, 2009  
City Council Chamber, Historic Federal Building

**Commissioners Present:** Chairperson Michael Knight; Commissioners John Whalen, Joseph Rapp, Bob McDonell, Chris Olson, Peggy Stover and Mary Loney Bichell.

**Commissioners Excused:** Commissioners Eli Licht and Chris Wand.

**Staff Members Present:** Dave Johnson.

**CALL TO ORDER:** The meeting was called to order by Chairperson Knight at 5:33 p.m.

**AFFIDAVIT OF COMPLIANCE:** Staff presented an Affidavit of Compliance verifying the meeting was being held in compliance with the Iowa Open Meetings Law.

**MINUTES:** Commissioner Olson noted corrections to the draft minutes of August 20, 2009. She noted Mr. McNamara was before the Commission on July 16, 2009 and received approval for installation of windows and not a door as indicated in the draft minutes. Commissioner Olson also noted Mr. McNamara requested his application be tabled at the July 16, 2009 meeting so they could revise the entrance design and not location as indicated in the draft minutes.

Motion by McDonell, seconded by Stover, to approve the minutes of the August 20, 2009 meeting as corrected. Motion carried by the following vote: Aye – Knight, Whalen, Bichell, McDonell, Olson and Stover; Nay – None.

**DESIGN REVIEW:** Application of LeRoy Kedley, Jr. for a Certificate of Appropriateness to replace the front porch located at 221 St. Mary's Street in the Cathedral Historic Preservation District.

Mr. Kedley introduced himself and explained he owns and rents the property located at 221 St. Mary's Street.

Staff Member Johnson presented the staff report. He explained a 1909 Sanborn Fire Insurance Map shows the building with a full length porch. He stated the house first shows up in the 1909 Sanborn map. He explained the porch will have a shed roof with an approximate 4:12 pitch, 6" overhang and 6" fascia. The roof will be covered with new "Gold Sand" asphalt shingles to match the house. The porch will be supported with an 8" box beam and 8'0" tall 4" by 4" pressure treated columns trimmed with 1" cedar boards. The columns will have an additional 1" by 4" cedar trimmed board at the top of the column and a 1" by 6" cedar trimmed board at the base. The porch railing will be 36" high with 2" by 2"

spindles placed 4” on center. The porch will have a beveled top and bottom rail. Beneath the top railing will be a 4” trim piece.

Staff Member Johnson stated the porch floor will have 2” by 6” decking supported by 2” by 8” lumber and an 8” fascia board will be installed. The floor will be supported by 6” by 6” posts and a cement footing.

Staff explained that framed-in approximate 7’ by 3’ vertical and horizontal lattice will fill the voids between the posts, floor and existing limestone wall. The access to the porch switches back and will mimic the porch rail design. He stated the railing will be fastened to 4” by 4” wood posts with decorative caps and the stairs will be wood. Staff noted all wood will be opaque stained and the applicant has provided drawings of the proposed porch for the Commission’s review.

The Commission reviewed the design and explained the difference between opaque stain and transparent and semi-transparent stain.

Motion by Whalen, seconded by Stover, to approve the request as submitted, noting all wood must be opaque stained. Motion carried by the following vote: Aye – Whalen, Olson, Knight, Bichell, Stover and McDonell; Nay – None.

**ITEMS FROM PUBLIC:**

Commissioner Olson excused herself from the table to present a future project at the Four Mounds Estate.

Christine Olson, 1090 Grove Terrace, Dubuque, explained she is the executive director at Four Mounds. Ms. Olson explained the wood columns located in front of the white house at the Four Mounds Estate are in need of replacement. Ms. Olson explained the columns are located in close proximity to the drive, and consequently, the bases of the columns have significantly deteriorated due to their exposure to water and salt. She stated because of the columns proximity to the drive and exposure to the elements, Four Mounds would like to replace the columns’ with a structural resin material to match the historic design. She explained the new resin columns’ will be formed from a mold, and once painted, would look like wood columns. She explained she will need to apply for a Certificate of Appropriateness to replace the columns and is only requesting the Commission’s feedback with regard to the resin material at this time. Ms. Olson distributed sample resin materials for the Commission to consider.

Commissioner Rapp entered at 5:45 p.m.

Commissioner Stover suggested placing the columns on a stone base.

Commissioner Whalen supported the use of the resin columns and recommended closely

observing their performance over time to see how the material holds up. Commissioner Whalen noted it is a green alternative that could look like wood when painted.

The Commission voiced their general support for the use of resin columns for this particular application.

**ITEMS FROM COMMISSION:**

Commissioner Resignation: Staff Member Johnson explained Commissioner Eli Licht and his family have purchased a home outside the city limits. He stated City Code requires Commissioners to be residents of the city, and consequently, Commissioner Licht has submitted his resignation from the Historic Preservation Commission. Staff Member Johnson stated staff is requesting the Historic Preservation Commission accept Commissioner Licht's resignation and the resignation will be forwarded to City Council.

Motion by Olson, seconded by Stover, to accept Commissioner Licht's resignation, forward it to City Council, and send Commissioner Licht a thank you letter for his time served on the Commission. Motion carried by the following vote: Aye – Whalen, Olson, Knight, Bichell, Rapp, Stover and McDonell; Nay – None.

550 & 570 Arlington Street: Commissioner Olson stated she requested staff provide the Commission with past design review applications and current photographs for the properties at 550 and 570 Arlington Street for the Commission's review. She noted a concern that the projects were not constructed according to the approved plans and Certificates of Appropriateness. She specifically noted the difference in the vertical alignment of the siding and limestone veneer. Commissioner Olson noted 570 Arlington is already completed and under new ownership, but there is an opportunity to prevent the mistakes that happened to 570 Arlington on 550 Arlington. The Commission referenced photographs of surrounding properties at 590 Arlington and 1295 Highland noting the alignment was supposed to mimic where the limestone and material above were flush. Commissioner Olson noted the final design of 570 Arlington was not what was presented.

Commissioner Whalen asked the Commission whether they would like to invite the property owners to discuss the project with the Commission. Commissioner Stover stated she would like the property owners to come and update the Commission and enlighten them as to what happened with the project.

The Commission discussed whether to and how to proceed with enforcement on the two properties. Commissioner Olson noted enforcement could be done on the basis that the work was not compliant with the approved Certificate of Appropriateness. Staff Member Johnson noted the enforcement process and alternatives.

The Commission discussed enforcement ramifications for the completed project at 570 Arlington. Commissioner Olson noted in the past, the Commission has made property

owners change things. Staff Member Johnson explained if the Commission were to choose to initiate the enforcement process, it needs to be made very clear who is referring the enforcement and what the expectation is for compliance. The Commission agreed that the expectation is to focus on the unfinished project at 550 Arlington Street. They noted the walls above the limestone veneer would need to be built out further. The Commission again noted the finished project at 570 Arlington Street is under new ownership, and therefore enforcement would be less practical and more difficult. Commissioner Olson stated the Commission has forgiven project errors in the past when properties have come under new ownership. The Commission noted you cannot fault a person for the errors of a previous owner.

Chairperson Knight asked whether an enforcement letter would be sent to the owner at the time of the project. Staff Member Johnson clarified that enforcement by the City can only be made against a current property owner.

Commissioner Whalen asked staff what the options were to remedy the situation. Staff Member Johnson explained the Commission can refer enforcement on both properties, one property, or the Commission can begin by having a discussion with the property owner. Staff Member Johnson explained that in the past, the Commission has had a good working relationship with the property owners, and a discussion might be best.

Commissioner Bichell reiterated she feels no action should be taken against the current property owner at 570 Arlington; however, the focus should be given to 550 Arlington, as the project moves forward. Chairperson Knight suggested initiating the enforcement process with an enforcement letter. Commissioner Whalen suggested inviting the property owners to discuss the project at 550 Arlington with the Commission, and then if enforcement is needed, that can be done at a later date. Commissioner Stover noted that the property owners have done enough work in historic districts that they should have known better. Commissioner Whalen stated that he would give the property owners the benefit of the doubt since sometimes unforeseen things happen with projects. Commissioner Whalen encouraged having a discussion with the property owners about the project, where it went wrong, request the appropriate repairs, and if that's not done, make them aware that enforcement will happen. Commissioner Bichell stated she agreed with Commissioner Whalen. Staff Member Johnson offered to extend an invitation to the property owners to attend the next Historic Preservation Commission meeting. Commissioner Rapp noted a potential conflict, and stated he would excuse himself from any discussion or voting on the issue.

By consensus, the Commission agreed to discuss the problem with the property owners at the next Commission meeting.

Contact Information: Commissioner Rapp explained it would be beneficial if a business card or a small piece of paper with Planning Services contact information, the City Hall address, and links to the Historic Preservation and Planning Services sections of the City of

Dubuque website could be prepared. He explained it would be nice information to have when he is talking with members or the public who might have potential planning and/or historic preservation related issues with projects.

Commissioner Stover left the meeting at 6:20 p.m.

Commissioner Rapp discussed the issue further, noting it could be an elaboration on a business card or a post card sized document. He stated it would be nice to give to people so they can more quickly and easily link to important City preservation documents such as the Architectural Guidelines and the Downtown Design Guidelines.

**ITEMS FROM STAFF:**

Enforcement Report Update: Staff Member Johnson reviewed updates to the Historic Preservation Enforcement Report. He noted the new format of the report. The Commission stated the new format is very helpful and clearly distinguishes between enforcement history and current updates.

Staff Member Johnson reported on the progress at 1589-91 Bluff Street. He noted current and potential redevelopment efforts in the area.

The Commission discussed the challenges and limitations with the area over the years. Chairperson Knight requested additional information of any future redevelopment efforts.

**ADJOURNMENT:** The meeting adjourned at 6:25 p.m.

Respectfully submitted,



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David Johnson, Assistant Planner

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Adopted—October 22, 2009